

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RONNIE JONES, ET AL.,

Plaintiffs,

V.

CITY OF BOSTON, ET AL.,

Defendants.

CIVIL ACTION
NO. 05-11832-GAO

HEARING REQUESTED

**ASSENTED TO MOTION TO SUBSTITUTE EDWARD DAVIS
FOR KATHLEEN O'TOOLE AS THE CURRENT
COMMISSIONER OF THE BOSTON POLICE DEPARTMENT**

Plaintiffs Ronnie Jones, Richard Beckers, Walter Washington, William Earl Bridgeforth, Shawn N. Harris, Eugene Wade George C. Downing, Jr., Clararise Bristow, Rachelle Couch, Keri Hogan, and the Massachusetts Association of Minority Law Enforcement Officers, (hereinafter, “Plaintiffs”) hereby move, pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, for an Order substituting Edward Davis for Kathleen O’Toole as the current Commissioner of the Boston Police Department. A proposed Order is attached hereto as ***Exhibit A***. As grounds for this motion, Plaintiffs state as follows:

1. When the original complaint was filed in this matter in July 2005, Plaintiffs named Kathleen O'Toole as a defendant in this case in her official capacity as the Commissioner of the Boston Police Department;
2. Kathleen O'Toole resigned from her position as the Boston Police Commissioner in May 2006;
3. Edward Davis is the current Commissioner of the Boston Police Department; and
4. Defendants have assented to this motion.

WHEREFORE, Plaintiffs respectfully request that the Court allow this motion and issue an order substituting Edward Davis for Kathleen O'Toole as the Commissioner of the Boston Police Department.

CERTIFICATION PURSUANT TO RULE 7.1(A)(2)

I, Nikki J. Fisher, counsel for the plaintiffs, hereby certify pursuant to Local Rule 7.1(A)(2) that I conferred with counsel for defendants prior to filing this motion.

Respectfully Submitted,

**RONNIE JONES, RICHARD
BECKERS, WALTER WASHINGTON,
WILLIAM EARL BRIDGEMORTH,
SHAWN N. HARRIS, EUGENE WADE
GEORGE C. DOWNING, JR.,
CLARARISE BRISTOW, AND THE
MASSACHUSETTS ASSOCIATION OF
MINORITY LAW ENFORCEMENT
OFFICERS,**

By their attorneys,

/s/ Nikki J. Fisher

Louis A. Rodriques, BBO #424720
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Dated: October 17, 2007

CERTIFICATE OF SERVICE

I hereby certify that, on October 17, 2007, a true copy of the above document was served upon the attorney of record for each other party electronically via the ECF/CM.

/s/ Nikki J. Fisher

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**[PROPOSED] ORDER
ON PLAINTIFFS' ASSENTED TO MOTION TO SUBSTITUTE
EDWARD DAVIS FOR KATHLEEN O'TOOLE AS THE
COMMISSIONER OF THE BOSTON POLICE DEPARTMENT**

Upon Plaintiffs' Assented to Motion to Substitute Edward Davis for Kathleen O'Toole as the Commissioner of the Boston Police Department:

IT IS HEREBY ORDERED that:

1. The Plaintiffs' motion is granted; and
 2. Edward Davis shall be substituted for Kathleen O'Toole in the Caption of this
- s the current Commissioner of the Boston Police Department.

SO ORDERED.

The Honorable George A. O'Toole
United States District Judge

Dated: _____, 2007